

# COMMITTEE REPORT

## MADAM PRESIDENT:

The Senate Committee on Elections, to which was referred House Bill No. 1346, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

- 1           Page 1, line 3, delete ""Member of the military or public" and insert
- 2           ""Public".
- 3           Page 1, line 4, delete "has the member set forth in IC 10-14-2-5."
- 4           and insert "means an individual who is any of the following:
- 5               (1) A member of a fire department (as defined in IC 36-8-1-8).
- 6               (2) An emergency medical service provider (as defined in
- 7               IC 16-41-10-1).
- 8               (3) A member of a police department (as defined in
- 9               IC 36-8-1-9).
- 10              (4) A correctional officer (as defined in IC 5-10-10-1.5).
- 11              (5) A state police officer.
- 12              (6) A county police officer.
- 13              (7) A police reserve officer.
- 14              (8) A county sheriff.
- 15              (9) A deputy sheriff.
- 16              (10) An excise police officer.
- 17              (11) A conservation enforcement officer.
- 18              (12) A town marshal.
- 19              (13) A deputy town marshal.
- 20              (14) A postsecondary educational institution police officer

- 1 **appointed under IC 21-17-5 or IC 21-39-4.**
- 2 **(15) A probation officer.**
- 3 **(16) A paramedic.**
- 4 **(17) A volunteer firefighter (as defined in IC 36-8-12-2).**
- 5 **(18) An emergency medical technician or a paramedic**
- 6 **working in a volunteer capacity.**
- 7 **(19) A member of a state or local emergency management**
- 8 **agency.**
- 9 **(20) A member of a consolidated law enforcement department**
- 10 **established under IC 36-3-1-5.1."**

11 Page 1, line 8, delete "member of the military or".

12 Page 2, line 1, delete "member of the military or".

13 Page 2, line 4, delete "member of the military or".

14 Page 2, line 12, delete "member of the military or".

15 Page 2, line 14, delete "military or".

16 Page 2, line 17, delete "member of the military or".

17 Page 2, line 26, after "(b)" delete "," and insert "**or (d)**".

18 Page 3, line 14, delete "member of the military or".

19 Page 3, between lines 22 and 23, begin a new paragraph and insert:

20 **"(c) Subsection (d) does not apply to the following:**

21 **(1) A voter who is entitled to vote by absentee ballot under the**

22 **federal Uniformed and Overseas Citizens Absentee Voting**

23 **Act (42 U.S.C. 1973ff et seq.).**

24 **(2) A voter who has the right to vote other than in person**

25 **under the federal Voting Accessibility for the Elderly and**

26 **Handicapped Act (42 U.S.C. 1973ee-1(b)(2)(B)(ii)).**

27 **(3) A voter who is entitled to vote other than in person under**

28 **any other federal law.**

29 **(d) A voter must vote in person and may not vote by mail if:**

30 **(1) the voter registered to vote in the county by mail; and**

31 **(2) the voter has not previously voted in the county."**

32 Page 3, line 23, strike "(c)" and insert "(e)".

33 Page 3, line 34, strike "(d)" and insert "(f)".

34 Page 4, line 16, strike "(e)" and insert "(g)".

35 Page 4, line 17, strike "(d)" and insert "(f)".

36 Page 4, line 18, strike "(f)" and insert "(h)".

37 Page 4, after line 22, begin a new paragraph and insert:

38 **"SECTION 4. IC 3-11-18-1.5 IS ADDED TO THE INDIANA**

CODE AS A NEW SECTION TO READ AS FOLLOWS  
 [EFFECTIVE JULY 1, 2009]: **Sec. 1.5. (a) This section applies to a county in which the President of the United States has, after December 31, 2007, declared, under the authority of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), that a major disaster has occurred.**

**(b) If a county election board, by the unanimous vote of the entire board's membership, determines that the county's voting systems are unusable as the result of the major disaster described in subsection (a), the board shall file with the election division:**

- (1) a statement certifying the board's determination; and**
- (2) an order adopting a plan under this chapter to administer the county's elections using vote centers.**

**(c) The plan adopted under this section takes effect when the documents listed in subsection (b) are filed with the election division.**

SECTION 5. IC 3-11-18-1.7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: **Sec. 1.7. (a) This section applies to a county listed in P.L.108-2008, SECTION 5 (before its repeal).**

**(b) Notwithstanding any other provision in this chapter, not later than November 1, 2009, the county election board shall adopt an order adopting a plan under this chapter for the administration of vote centers in the county.**

**(c) The board shall file a copy of the order described in subsection (b) with the election division. The plan takes effect when the plan is filed with the election division.**

**(d) A plan adopted under this section may be amended as**

1       **provided by this chapter, but may not be rescinded under this**  
2       **chapter before December 31, 2011."**

3       Renumber all SECTIONS consecutively.

(Reference is to HB 1346 as printed February 3, 2009.)

**and when so amended that said bill do pass.**

Committee Vote: Yeas 6, Nays 4.

---

**Landske**

**Chairperson**